

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF INFORMATIONAL HEARING AND INTENT TO REISSUE A WISCONSIN  
POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No. WI-0022268-10-0

Permittee: Village of Gays Mills, 16381 State Hwy 131, Ste 1, Gays Mills, WI, 54631

Facility Where Discharge Occurs: Gays Mills Wastewater Treatment Facility, 316 South Gays St., Gays Mills, WI

Receiving Water and Location: Kickapoo River, located in the Lower Kickapoo River Watershed in the Lower Wisconsin River Basin in Crawford County (SW ¼ of NE ¼ of Section 28, T10N, R4W, Lat: 43.32578°N / Lon: 90.86809°W).

Brief Facility Description: Gays Mills Wastewater Treatment Facility treats domestic waste from the Village of Gays Mills. The facility has an annual average design flow of 0.087 million gallons per day (MGD) with actual annual average flow of 0.079 MGD over the past three years. The treatment facility has screening, contact stabilization, activated sludge and aerobic digestion. Effluent is disinfected seasonally via chlorination prior to discharge to the east bank of the Kickapoo River, ½ mile south of the Highway 171 bridge. Sludge is landspread on Department approved fields.

Summary of Proposed Changes: Fecal coliform monitoring and limits have been replaced with *Escherichia coli* (*E. coli*) monitoring and limits. *E. coli* monitoring is required at the permit effective date. An interim fecal coliform limit of 400 #/100 ml as a monthly geometric mean will apply from the permit effective date through the end of a compliance schedule. At the end of the compliance schedule, *E. coli* limits of 126 #/100 ml as a monthly geometric mean and 410 #/100 ml as a daily maximum that may not be exceeded more than 10 percent of the time in any calendar month will apply. New Weekly Average and Monthly Average Total Residual Chlorine limits apply and have been set equal to the existing Daily Maximum limit of 38 ug/L. Gays Mills has applied for an Individual Phosphorus Variance for this permit term. The 3.6 mg/L Monthly Average Total Phosphorus interim limit from the current permit is now the interim (variance) phosphorus limit that will be in effect throughout the variance term. The permittee will now be required to calculate and report the mass discharge of phosphorus in lbs/day. Monitoring and reporting of Total Kjeldahl Nitrogen, Nitrite + Nitrate Nitrogen and Total Nitrogen is required annually in rotating quarters.

Permit Drafter's Name, Address, Phone and Email: Phillip Spranger, DNR, 3911 Fish Hatchery Rd, Fitchburg, WI, 53711, [Phillip.Spranger@wisconsin.gov](mailto:Phillip.Spranger@wisconsin.gov)

Basin Engineer's Name, Address, Phone and Email: Julia Stephenson, DNR, 3550 Mormon Coulee Road, La Crosse, WI 54601, [Julia.Stephenson@wisconsin.gov](mailto:Julia.Stephenson@wisconsin.gov)

The Department has tentatively decided that the above specified WPDES permit should be reissued.

Virtual Hearing Date and Time: October 5, 2020 : 10:00am-11:00am

Hearing Location (Virtual): In response to the COVID-19 public health emergency and the Governor's Safer at Home mandate, the Department of Natural Resources will be hosting public hearings via a remote, virtual connection made available to the public via the options below. Virtual hearings will be recorded.

Remote Connection for public participation:

Zoom Virtual Participation: <https://zoom.us/j/93541440934>

Meeting ID: 935 4144 0934

Zoom Conference Call Line: 1 312 626 6799: If participating via conference call, participants will be prompted to enter the Meeting ID: 935 4144 0934

For questions on how to connect remotely please contact: Stephen Nehring, DNR, 101 S. Webster St. PO Box 7921, Madison, WI, 53707-7921, (608) 261-6406, [Stephen.Nehring@wisconsin.gov](mailto:Stephen.Nehring@wisconsin.gov)

Hearing Officer, Name, Address, City/State/Zip, and Email Address: Phillip Spranger, 3911 Fish Hatchery Road, Fitchburg, Wisconsin 53711, [phillip.spranger@wisconsin.gov](mailto:phillip.spranger@wisconsin.gov).

Limitations and conditions which the Department believes adequately protect the receiving water are included in the proposed permit. Land application of waste shall be done in accordance with permit conditions and applicable codes. All land application sites shall be approved prior to their use. To receive a list of approved sites, or to be notified of potential approvals, contact the above named basin engineer.

Proposed Phosphorus Variance: The Department has determined that a water quality-based effluent limitation (WQBEL) for phosphorus is needed in this permit to protect water quality. As allowed under s. 283.15, Wis. Stats., Variance to Water Quality permittee has requested a variance to the phosphorus WQBEL. In support of this request, the permittee has submitted documentation intended to demonstrate eligibility for the variance based on applicable

factors. The Department concurs with the demonstration; however, this concurrence is subject to US EPA approval before the variance limit may be included in the final reissued permit. In an effort to achieve phosphorus effluent reductions that are practically and economically achievable within the term of the proposed permit, the Department and permittee have mutually agreed upon specific permit conditions that include a variance limitation, monitoring of phosphorus at the frequency described in the permit and submittal of reports on source reduction measures oriented toward attainment of the phosphorus water quality standard. The designated use of the receiving water will not change as a result of the variance.

The Department of Natural Resources, pursuant to Section 283.49, Wisconsin Statutes, has scheduled for the time and place listed above, a public hearing for the purpose of giving all interested persons an opportunity to make a statement with respect to the above announced permit action for this existing discharge.

A hearing officer will conduct the hearing in an orderly and speedy way and will use procedures specified in Subchapter II of ch. NR 203, Wis. Adm. Code, necessary to insure broad public participation in the hearing.

The hearing officer will open the hearing and make a concise statement of the scope and purpose of the hearing and shall state what procedures will be used during the course of the hearing. The hearing officer shall explain the method of notification of the final decision to grant or deny the permit and the methods by which the decision may be reviewed in a public adjudicatory hearing.

The hearing officer may put limits on individual oral statements to insure an opportunity for all persons present to make statements in a reasonable period of time and to prevent undue repetition. The hearing officer may also limit the number of representatives making oral statements on behalf of any person or group.

Informational and clarifying questions and oral statements shall be directed through the hearing officer. Cross-examination shall not be allowed.

Persons wishing to comment on or object to the proposed permit action are invited to do so by attending the public hearing or by submitting any comments or objections in writing to the Department of Natural Resources, at the above named permit drafter's address. Currently, DNR staff are working remotely and have very limited access to US mail. To ensure comments are received, the Department recommends that all comments be sent via email to the permit drafter listed in this notice. All comments or suggestions received from members of the public no later than 7 days following the date of this public hearing will be used, along with other information on file and testimony presented at the hearing, in making a final determination. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination.

Information on file for this permit action, including the draft permit, fact sheet and permit application, is accessible via e-mail by contacting the above named permit drafter's e-mail address or the above named basin engineer's e-mail during normal business hours Monday through Friday (except holidays). Note that DNR staff have limited access to permit hard copy files during this time as they are working from home, but much of the permit file is available electronically by e-mail request. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

NAME OF PUBLISHING NEWSPAPER: The Crawford County Independent and the Kickapoo Scout

ADDRESS OF PUBLISHING NEWSPAPER: PO Box 188, Gays Mills, WI 54637-0188

Date Notice Issued: Thursday, August 20, 2020